

Memorandum



Date: July 3, 2012

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

Agenda Item No. 8(F)(4)

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Waiving Formal Bid Procedures and Authorizing Contract Awards and Modifications, and Authorizing Use of PTP Funds

Recommendation

It is recommended that the Board of County Commissioners (Board) waive competitive bidding procedures for purchase of goods and services pursuant to Section 2-8.1 of the County Code and Section 5.03(D) of the Home Rule Charter, in the best interest of Miami-Dade County, and approve the attached non-competitive contract award, modification and emergency items with authority to exercise options-to-renew (OTR). Specifically, the items being considered by the Board are described briefly below and in more detail in the accompanying attachment:

Item 1 - Medical Gases - Waives formal bid procedures and approves award of a bid waiver for the Medical Examiner to purchase high purity grade medical gases from Airgas South, Inc. The amount being requested for the five-year contract term is \$108,000. High purity grade gases are used to operate specialized analytical instruments in the Medical Examiner lab. Airgas South is the only vendor in the State of Florida that can provide both high grade purity grade gases and the liquid nitrogen in a microbulk system.

Item 2 - Uniform Shirts and Pants for MDPD – Modifies an existing contract for an additional 12 months and \$418,000 in spending authority for the Miami-Dade Police Department (MDPD) to continue purchase of uniforms.

Item 3 - Emergency Diagnosis/Repair MDT Chillers - Waives formal bid procedures to ratify an emergency contract award for the diagnosis of two 110-ton Heating, Ventilation, and Air Conditioning (HVAC) chiller units, and subsequent repairs to one of the chiller units at Miami-Dade Transit's William Lehman Center. An emergency repair to the second chiller is authorized in Item 4 (below). Authorization is also requested to allow use of Charter County Transportation Surtax Funds. The contract value is \$13,000. The chillers both failed abruptly, requiring their immediate diagnosis and return to service to prevent overheating of computer and telephone equipment, as well as to ensure an ongoing cool and safe work environment.

Item 4 - Emergency Repair - Waives formal bid procedures to ratify an emergency contract award for repair service on a 110-ton HVAC unit located at Miami Dade Transit's William Lehman Center. Authorization is also requested to allow use of Charter County Transportation Surtax Funds. The contract value is \$8,000. The chiller repair service is a result of the emergency diagnosis services provided through the contract mentioned in Item 3 (above).

This package is placed for Committee review pursuant to Miami-Dade County Code Section 29-124(f). This contract modification recommendation may only be considered by the Board if the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board prior to the date scheduled for Board consideration or 45 days have elapsed since the filing with the Clerk of the

Board of this contract award recommendation. If the CITT has not forwarded a recommendation and 45 days have not elapsed since the filing of this award recommendation, I will request a withdrawal of this item. The contracts in this package are scheduled for the June CITT meeting.

Scope

The impact of the items in the attached Bid Waiver Package is countywide in nature.

Fiscal Impact/Funding Source

The allocation and funding source for the departments are listed in the attached Bid Waiver Package.

The contract amounts and departmental allocations represent the maximum spending authority based on past utilization. This action does not guarantee that the total contract amount/value will be expended by the department. Funding will be expended only if the department's budget can support the expenditures approved in its annual budget adopted by the Board.

Track Record/Monitor

There are no known performance/compliance issues with the vendors recommended for award in the attached Bid Waiver Package. The departments' contract managers are reflected in the agenda item.

Delegated Authority

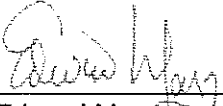
If this item is approved, the County Mayor or County Mayor's designee will have the authority to extend the contracts for purchase of goods and services in accordance with the terms and conditions of the contracts listed in the attached Bid Waiver Package.

Due Diligence

Due diligence was conducted in accordance with the Internal Services Department's Procurement Guidelines to determine Contractor responsibility, including verifying corporate status and review of performance or compliance issues. The lists that were referenced include: convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to Contractor responsibility. This information is being provided pursuant to Resolution R-187-12.

Background

Additional background information for the bid waiver award, contract modification, and emergency purchases are attached.



Edward Marquez,
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: July 3, 2012

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(F)(4)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ No committee review
- ☒ Applicable legislation requires more than a majority vote (i.e., 2/3's ☒, 3/5's ☐, unanimous ☐) to approve
- ☒ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(F)(4)
7-3-12

RESOLUTION NO. _____

RESOLUTION AUTHORIZING WAIVER OF FORMAL
BID PROCEDURES PURSUANT TO SECTION 5.03(D)
OF THE HOME RULE CHARTER AND SECTION 2-8.1
OF THE COUNTY CODE BY A TWO-THIRDS (2/3s)
VOTE OF THE BOARD MEMBERS PRESENT FOR
THE PURCHASE OF GOODS AND SERVICES, AND
AUTHORIZING THE COUNTY MAYOR OR THE
COUNTY MAYOR'S DESIGNEE TO AWARD SAME,
WITH AUTHORITY TO EXERCISE OPTIONS-TO-
RENEW ESTABLISHED THEREUNDER, AND
AUTHORIZES THE USE OF CHARTER COUNTY
TRANSPORTATION SURTAX FUNDS

WHEREAS, the County Mayor recommends to this Board to waive formal bid procedures for the purchase of goods and services which cannot be purchased under normal bid procedures,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board waives formal bid procedures for the purchase of goods and services and authorizes the County Mayor or County Mayor's designee to award such contracts, with authority to exercise options-to-renew established thereunder, pursuant to Section 5.03(D) of the Home Rule Charter and Section 2-8.1 of the County Code by a two-thirds (2/3s) vote of the Board members present, and authorizes the use of Charter County Transportation Surtax Funds.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

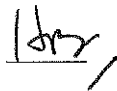
The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of July, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Hugo Benitez



Item 1

Contract No.: BW7602-0/16

Contract Title: Medical Gases

Description: Requesting waiver of formal bid procedures and approval to award a Bid Waiver for the Miami-Dade County's Medical Examiner to purchase high purity grade medical gases.

Contract Term: Five years with no options-to-renew

Previous Contract Allocation: Contract TBW7602-5/14: \$14,000 for 10 months and
Contract 7602-5/14 \$60,000 for 48 months

Contract Amount: \$108,000 for five years

JUSTIFICATION

The Medical Examiner (ME) is requesting approval to purchase high purity (ultra pure) grade gases such as nitrogen, helium, hydrogen, argon, and methane for their daily operations. In addition, the ME requires a microbulk system (large storage capacity) for liquid nitrogen for use in the toxicology laboratory. The ultra pure grade gases are required to operate specialized analytical instruments to prevent false readings on highly sensitive equipment. The microbulk system method of refilling gas is safer to manage, and less costly.

Airgas South is the only vendor in the State of Florida that can provide both high purity grade gases and the liquid nitrogen in a microbulk system. Therefore, it is recommended that the County establish a long-term contract with this vendor for purchase of gases and support services.

Using/Managing Department and Funding Source:

Department	Allocation	Funding Source	Contract Manager
Medical Examiner	<u>\$108,000</u>	General Fund	Theresa Bryant
Total:	\$108,000		

Vendor:	Address	Principal
Airgas South Inc (Non-local Vendor)	9030 NW 58 th Street Doral, FL	Airgas South, Inc

Performance Data: There are no performance issues with the recommended firm.

Compliance Data: There are no compliance issues with the recommended firm.

Contract Measure: No measure – Bid Waiver

Local Preference: The Local Preference Ordinance is not applicable.

Living Wage:

The services being provided are not covered under the Living Wage Ordinance.

User Access Program:

The User Access Program provision applies. The 2% program discount will be collected on all purchases.

**Procurement Contracting
Associate:**

Mary Hammett

Item 2**Contract No.:** BW9465-0/12**Contract Title:** Uniform Shirts and Pants for MDPD**Description:** To modify this contract for additional time and spending authority to allow Miami-Dade Police Department (MDPD) to continue purchase of uniforms.**Type of Change:** Additional time and spending authority**Existing Allocation:** \$473,000 for fifteen months**Increase By:** \$418,000 for twelve months**Modification Allocation:** \$891,000**Current Expiration:** August 31, 2012**Modified Expiration:** August 31, 2013**REASON FOR CHANGE**

Authorization is requested for additional time and spending authority to allow Miami-Dade Police Department (MDPD) to continue purchase of uniforms. The manufacturer of MDPD shirts and pants has only one local distributor. In an effort to generate greater competition, MDPD is evaluating uniforms manufactured by other companies for inclusion into the MDPD approved uniform list. An Invitation to Bid will be issued specifying all approved manufacturer lines following this evaluation. This extension will ensure continuity of service until a long-term successor contract is established.

Using/Managing Departments and Funding Sources:

Department	Existing Allocation	Additional Allocation	Modified Allocation	Funding Sources	Contract Managers
Police Department	<u>\$473,000</u>	<u>\$418,000</u>	<u>\$891,000</u>	General Fund	Laura Romano
Total	\$473,000	\$418,000	\$891,000		

Vendor:
Global Trading, Inc.**Address**
7262 NW 62 St
Miami, FL**Principal**
Viraj Wikramanayake

Elbeco, Inc.

4418 Pottsville Pike
Reading, PA

David Adams

Performance Data: There are no performance issues with the awarded firms.**Compliance Data:** There are no compliance issues with the awarded firms.**Contract Measure:** The Small Business Enterprise bid preference was applied in accordance with the ordinance.

Local Preference:	Applied in accordance with the Ordinance.
Living Wage:	The services being provided are not covered under the Living Wage Ordinance.
User Access Program:	This contract includes the User Access Program provision. The 2% program discount is being collected on all purchases.
Contracting Officer:	Abelin Rodriguez

Item 3**Contract No.:** E9606-0/12**Contract Title:** Emergency Diagnosis/Repair MDT Chillers**Description:** To waive formal bid procedures and ratify an emergency contract award for diagnosis for two 110 ton HVAC units, and subsequent repairs to a chiller located at Miami Dade Transit's William Lehman Center.**Contract Term:** Three months**Contract Value:** \$13,000**JUSTIFICATION**

Miami-Dade Transit (MDT) required the emergency diagnosis and repair services for two 110-ton HVAC chiller units. Diagnosis for the first chiller included identification of the leakage and recovery of the refrigerant gases. The second chiller was repaired and restored to cooling and operable condition. The chillers, installed in 1981 at the William Lehman Center, both failed abruptly. These chillers provide cool air to staff areas, and the facilities' computer and telephone equipment rooms. The services were essential to prevent overheating of computer and telephone equipment, as well as to maintain a cool and safe work environment.

A second emergency was processed to complete repairs on the remaining chiller. This second emergency is presented as agenda item 4 in this package.

Using/Managing Department and Funding Sources:

Department	Allocation	Funding Sources	Contract Manager
MDT	<u>\$13,000</u>	MDT Operating	Vontressia Young
Total:	\$13,000		

Vendors:	Address	Principal
Weathertrol Maintenance Corp.	7250 NE 4 Ave Miami, FL 33138	Carlos I. Borja

Performance Data: There are no performance issues with the awarded firm.**Compliance Data:** There are no compliance issues with the awarded firm.**Contract Measure:** No Measure – Emergency Purchase**Local Preference:** The Local Preference was not applied as this is an emergency purchase.**Living Wage:** The services being provided are not covered under the Living Wage Ordinance.**User Access Program:** This contract includes the User Access Program provision. The 2% program discount is being collected.**Procurement Officer:** Ana M. Rioseco

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Item 4**Contract No.:** E9628-MT**Contract Title:** Emergency Repair**Description:** To waive formal bid procedures and ratify an emergency contract award for repair service on a 110-ton HVAC unit located at Miami Dade Transit's William Lehman Center.**Contract Term:** One-time**Contract Value:** \$8,000**JUSTIFICATION**

The Miami-Dade Transit (MDT) Department required emergency repair of one 110-ton HVAC chiller unit at the William Lehman Center. The diagnosis for this chiller was performed under another emergency presented as agenda item 3 in this package.

This emergency contract is for repair services to the inoperable chiller unit. These chillers provide cool air to staff areas, and the facilities' computer and telephone equipment rooms. The services were essential to prevent overheating of computer and telephone equipment, as well as to maintain a cool and safe work environment.

Using/Managing Department and Funding Sources:

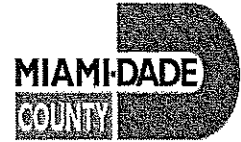
Department	Allocation	Funding Sources	Contract Manager
MDT	<u>\$8,000</u>	MDT Operating	Vontressia Young
Total:	\$8,000		

Vendors:	Address	Principal
Weathertrol Maintenance Corp.	7250 NE 4 Ave Miami, FL 33138	Carlos I. Borja

Performance Data: There are no performance issues with the awarded firm.**Compliance Data:** There are no compliance issues with the awarded firm.**Contract Measure:** No Measure – Emergency Purchase**Local Preference:** The Local Preference was not applied as this is an emergency purchase.**Living Wage:** The services being provided are not covered under the Living Wage Ordinance.**User Access Program:** This contract includes the User Access Program provision. The 2% program discount is being collected.**Procurement Contracting Officer:** Ana M. Rioseco



Memorandum



To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Charles Scurr, Executive Director *C Scurr*

Date: June 20, 2012

Re: CITT AGENDA ITEM 5D:
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS (BCC), WAIVE FORMAL BID PROCEDURES PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE COUNTY CODE BY A TWO-THIRDS (2/3s) VOTE OF THE BOARD MEMBERS PRESENT FOR THE PURCHASE OF GOODS AND SERVICES, AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO AWARD SAME, WITH AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER, AND AUTHORIZES THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS IN THE AMOUNT OF \$21,000.00 (MDT – BCC Legislative File No. 121101)

On June 20, 2012, the CITT voted (11-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 12-056. The vote was as follows:

Hon. Linda Zilber, Chairperson – Aye
Paul J. Schwiep, Esq., 1st Vice Chairperson – Aye
Hon. Anna E. Ward, Ph.D., 2nd Vice Chairperson – Aye

Christopher Benjamin, Esq. – Absent
Joseph Curbelo – Aye
Peter L. Forrest – Aye
Prakash Kumar – Aye
Hon. James A. Reeder – Aye

Harold Braynon, Jr. – Aye
Glenn J. Downing, CFP® – Aye
Alfred J. Holzman – Aye
Miles E. Moss, P.E. – Aye
Marilyn Smith – Absent

cc: Alina Hudak, Deputy Mayor/County Manager
Bruce Libhaber, Assistant County Attorney
Alexander Bokor, Assistant County Attorney